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File No. Destruction of Records II/42

Legal **DEPARTMENT**

B **BRANCH**

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Subject:—

(Rules and Notifications

under the

Destruction of Records Act, 1917.

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C O N T E N T S.

Legal Department. File No. Destruction of Records II/42.

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Office of the R.L.A.

Revised draft rules are sent herewith. Under clause(c) of sub-section (2) of section 3 of the Destruction of Records Act, 1917, rules for disposal of documents can be made either by the Provincial Government for by any officer specially authorised in that behalf by the Government. It is presumed that the intention in the present case is that the rules should be made by the Government.

2. Rule 2:- The definition of "Rules" in the Political & Services Department draft rule 2 has been omitted as the draft rules refer not only to the Bombay Workmen's Compensation Rules, 1934 but also to the Workmens Compensation Rules, 1924. A new definition of the expression "enemy" used in revised rule 7 is asserted in this rule . The definition is on the lines of definition contained in rule 2(1) of the Defence of India Rules.

3. Rule 5(1):- P.& S. Department should verify whether the rule as revised carries out its intention.

4. P.& S.D. draft rule 7 :- This rule is in the nature of an executive instruction and has therefore been omitted from the revised draft.

5. New rules 7 and 8:- It would be desirable to make a provisions in the rules prescribing in the manner in which the records may be destroyed and disposed of. New rules 7 and 8 make the necessary provision. They are on the lines of rules 4 and 5 of the Bombay Government Secretariat Destruction of (Central) Records Rules, 1941.

Sd/- P.N.Koos

15-11

Remembrancer of Legal Affairs.

U.R. to P.& S.D.No. 9320, dated the 19th November 1942.

R.I.No. 10310
30-9-42.

S.A.K.
3/5/56.